

HOUSE No. 262

The Commonwealth of Massachusetts

PRESENTED BY:

Louis L. Kafka

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to the certification of interior designers.

PETITION OF:

NAME:

Louis L. Kafka

Cynthia Stone Creem

DISTRICT/ADDRESS:

8th Norfolk

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT RELATIVE TO THE CERTIFICATION OF INTERIOR DESIGNERS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Chapter 112 of the General Laws, as most recently appearing in the 2009 Official Edition, is hereby amended by inserting after section 60O the following new Section:

Section 60P. Title: Certified Interior Designer

Any individual who has passed the interior design examination administered by the National Council for Interior Design Qualification (NCIDQ) may use the title “certified interior designer.”

Such individual shall, upon satisfactory completion of the aforementioned requirements, send to the office of director of professional licensure a copy of documentation of the proof of passage of said exam, of graduation and completion of said program, and any certifications awarded to said individual by the National Council for Interior Design Qualification, with said individual’s name, present mailing address and email address, and any changes there to as such changes occur. Such documentation shall be placed on file in the office of said director.

Application; Renewal; Re-Activation

Each applicant seeking to become a certified interior designer shall pay to the board, upon filing his or her original application a fee to be determined annually by the commissioner of administration.

The director of the office of professional licensure, or his designee, as the custodian of any documentation required by this section shall enforce the provisions of said section and may use said documentation, or any lack thereof, as he, or his designee, deems necessary, notwithstanding any General or special Law, or rule or regulation to the contrary.

A Certified Interior Designer shall be required to continue learning and stay abreast of current knowledge in the profession by completing continuing education units (CEUs). Continuing education

shall be gained through coursework delivered in education units. *[The quantity and content designation of education units (CEUs) shall be determined by the office of professional licensure.]*

It shall be unlawful for any individual, who is not so qualified by reason of having passed such examination, or who does not have such experience to use the title “certified interior designer” or any title or device indicating that an individual is a “certified interior designer.”

Nothing herein shall prohibit any person from performing interior design services or using the title “interior designer,” “interiors consultant,” “interior decorator” or the like, so long as the word “certified” is not used in conjunction with the word “interior designer.”

Nothing herein shall authorize any individual to engage in the practice of architecture, engineering, or any other occupation regulated under the laws of this state or to prepare, sign or seal plans with respect to such practice or in connection with any governmental permits unless licensed or otherwise permitted to do so under such laws.

Nothing in this section shall prohibit an employee of a retail establishment providing consultation regarding interior design, decoration, furnishings, furniture or fixtures offered for sale by such establishment from receiving compensation from such establishment.

Notwithstanding any general or special law to the contrary, an individual who has completed at least 10 years of full-time, diversified, verifiable professional experience in the profession of interior design shall be eligible for “provisional certification” provided that within twelve months after the first meeting of the board, said individual has applied for certification.

Said applicant, upon review and consent of the board, may be issued a “provisional certification” and be given three calendar years from the first meeting of the board to provide substantial proof to the board of successful passage of “Section I” of the NCIDQ examination, at which time full certification will be granted. If proof is not provided to the board within the allotted time period, said applicant’s “provisional certification” shall be revoked and become null and void. Re-application, including satisfaction of all requirements at the time of re-application, shall be required for registration. During the time period of “provisional certification,” said individual is required to maintain all current fees and uphold all requirements certification and renewal until such time as the examination requirement is fulfilled.

Any individual violating the provisions of this section shall be punished via a fine and/or ones certification revoked by the division of professional licensure.

SECTION 2. Section 38A1/2 of chapter 7 of the general laws is hereby amended in line 32 by adding the following new paragraph: “or an individual, corporation, partnership or sole proprietorship engaged in the practice of interior design.”

SECTION 3. Section 38D of chapter 7 of the general laws is hereby amended in line 21 by adding the following: “, including whether interior designers are eligible to apply, as determined by section 38E.”

59 **SECTION 4.** Section 38E of chapter 7 of the general laws is hereby amended by adding the following:
60 “(h) interior designers may be eligible to compete for those projects where appropriate as the prime
61 consultant.” Eligible candidates would hold a valid certificate indicating that they are a Certified
62 Interior Designer meeting the requirements outlined by the division of professional licensure.”